

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

*In re* Flint Water Cases

Case No: 5:16-cv-10444-JEL-MKM  
(Consolidated)  
Honorable Judith E. Levy  
Mag. Kimberly G. Altman

\_\_\_\_\_  
*Walters, et al.,*

Case No: 5:17-cv-10164-JEL-KGA

Plaintiffs,

v

*City of Flint, et al.,*

Defendants.  
\_\_\_\_\_

**LAN OBJECTIONS AND COUNTER-DESIGNATIONS OF DEPOSITION  
TESTIMONY FOR DAVID GADIS**

Defendants Lockwood, Andrews & Newnam, Inc., Lockwood, Andrews & Newnam, P.C. and the Leo A. Daly Company (collectively “LAN” or “Defendants”) hereby submit the following objections and counter-designations of video deposition testimony of witness DAVID GADIS to be played at trial pursuant to the Federal Rules of Civil Procedure:

PLAINTIFFS’ DESIGNATION	VNA DESIGNATION	OBJECTION(S)	COUNTER DESIGNATION
	10:1 – 11:8		
11/7 to 11/8	“ ”		
14/9 to 14/15			
14/20			
14/22 to 15/11			
16/18 to 16/21			
19/1 to 19/24			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
21/17 to 22/1			
23/23 to 24/9			
24/18 to 26/17	25:22 – 26:20		
26/21 to 27/6			
27/16 to 28/23			
30/1 to 31/15	30:23 – 31:9		
31/21 to 31/24			
32/11 to 33/22	32:18 – 34:7		
34/1 to 35/7			
38/1 to 38/7	38:1 – 40:17		
38/18 to 39/7	“ “		
40/7 to 40/17			
41/16 to 41/24			
42/5 to 42/15	42:5 – 45:15		
43/16 to 43/22	“ “		
44/13 to 45/3	“ “		
45/23 to 46/4			
46/10 to 46/13			
47/11 to 48/4			
48/15 to 48/16			
48/21 to 49/2			
49/9 to 49/23			
50/19 to 51/2			
52/8 to 53/10			
54/23 to 55/5			
56/3 to 56/6			
56/16 to 57/19			
58/9 to 59/4	59:1 – 60:10		
60/11 to 60/16			
63/18 to 64/4	63:18 - 64:20		
65/13 to 65/20	65:18 – 66:4		
67/14 to 68/4			
75/10 to 75/12			
75/17 to 78/3			
78/8 to 78/11			
78/13 to 79/1			
79/16 to 81/20			
81/23 to 82/11			
84/16 to 86/24	86:2 – 88:13		
88/4 to 88/13	“ “		
88/18 to 88/21			
89/1			
89/3 to 90/3			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
90/6 to 90/7			
90/9 to 90/12			
93/3 to 94/21			
95/8 to 96/16			
97/7 to 97/19			
98/11 to 99/12			
100/8 to 101/12			
103/12 to 105/3			
105/5			
105/9 to 105/12			
105/17 to 107/18			
108/14 to 109/4			
109/9 to 109/12			
111/21 to 112/21			
113/1 to 115/15			
115/18			
115/20 to 116/12			
116/16			
116/22 to 116/24			
117/11 to 117/22			
118/2			
118/4 to 118/24			
119/3 to 119/4			
119/6 to 119/22			
120/1 to 120/15			
120/19			
120/21 to 121/4			
121/15 to 121/16			
122/6 to 122/9			
122/16 to 124/5			
124/9			
124/18 to 125/5			
125/9 to 126/13			
126/17 to 126/18			
126/22 to 127/6			
127/9 to 127/10			
127/12 to 129/4			
129/7 to 129/10			
130/14 to 131/2			
131/8			
132/4 to 137/19	132:4 – 132:18 133:22 – 135:14 135:22 – 137:16		

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
137/23 to 142/9	137:23 – 141:1 141:18 – 144:1		
142/12 to 144/11	“ - 144:1		
144/23 to 145/7			
145/11 to 146/12			
146/17			
146/19 to 147/10			
147/14 to 147/15			
147/17 to 147/19			
147/22 to 147/24			
148/4 to 150/10			
150/14			
150/16 to 152/8	150:19 – 152:13		
153/21 to 153/23			
154/9 to 156/24			
157/9 to 157/20			
158/2 to 158/24			
159/3 to 159/4			
159/6 to 159/11			
159/15 to 159/19			
160/4 to 161/3			
161/8 to 161/9			
161/11 to 162/4			
162/7 to 162/8			
162/10 to 162/12			
162/15 to 162/23			
163/22			
164/1 to 164/10			
165/5 to 165/8			
165/12 to 165/16			
165/22 to 166/22			
167/9 to 168/10			
168/16 to 168/24			
169/5 to 169/7			
169/17 to 169/21			
170/1			
170/3 to 170/4			
170/7 to 170/8			
170/10 to 170/11			
170/17 to 170/21			
170/23 to 171/4			
171/8 to 171/9			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
171/11 to 172/2			
172/6 to 172/8			
172/11 to 172/13			
172/15 to 172/16			
172/18			
172/22 to 173/2			
173/7			
173/18 to 174/15			
174/19 to 175/19			
175/21 to 176/15			
176/17			
176/20 to 176/23			
177/4 to 177/5			
177/7 to 177/8			
177/11 to 177/15			
177/17 to 178/6			
178/9 to 178/10			
180/16 to 180/19			
180/22 to 180/24			
181/4 to 181/5			
181/7 to 181/16			
187/7 to 187/10			
187/18 to 189/24			
190/4			
190/6			
190/9 to 190/12			
190/14 to 190/16			
191/14 to 191/16			
191/20 to 191/24			
192/2 to 192/4			
192/7 to 192/10			
192/12 to 192/23			
193/1 to 193/3			
193/5 to 195/23			
196/2 to 196/14			
196/16 to 196/18			
196/22 to 197/2			
197/4 to 197/20			
198/4 to 198/10			
198/12 to 198/13			
198/15 to 200/5			
200/7 to 200/9			
200/11 to 200/14			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
200/17			
200/19 to 201/10			
201/19 to 201/24			
203/3 to 203/16			
203/22 to 204/4			
204/7 to 204/9			
204/11 to 204/21			
204/23 to 204/24			
205/2 to 206/6			
208/17 to 211/16	208:17 –209:24		
212/1 to 212/22			
213/1 to 213/6			
213/8 to 213/24			
214/2 to 214/3			
214/5 to 214/9			
214/24 to 215/21	215:19 – 217:10		
216/1 to 216/6	“ “		
216/8 to 217/2	“ “		
217/6 to 217/10	“ “		
217/12 to 217/15			
217/21			
217/23 to 218/2			
218/6 to 218/10			
218/13 to 218/14			
218/16 to 219/4			
219/8 to 219/9			
219/11 to 219/14			
219/18 to 220/11			
223/21 to 224/20			
224/24 to 225/1			
225/3 to 225/6			
225/8 to 225/12			
225/14 to 226/5			
226/8 to 228/1	226:23 – 228:23		
231/5 to 231/9			
231/20 to 231/21			
231/24 to 232/12			
232/19 to 233/10			
233/18 to 234/21			
234/23			
236/7 to 237/10			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
237/12 to 237/17			
237/22 to 237/24			
238/2 to 239/20			
239/24 to 240/3			
248/17 to 248/18			
249/6 to 251/9			
251/18 to 252/12			
252/15 to 252/19			
253/13 to 253/23			
254/1 to 255/12			
255/17 to 256/24			
257/3 to 257/9			
258/5 to 262/9			
262/12 to 262/16			
263/1 to 263/5			
263/24 to 265/22			
266/3 to 266/9			
266/13 to 267/11			
267/14 to 268/4			
268/7 to 268/8			
268/10 to 268/20			
268/23 to 269/14			
269/17 to 270/1			
270/13 to 270/22			
270/24 to 271/21			
272/13 to 274/4			
274/13 to 274/20			
275/17 to 276/5			
276/18 to 277/3			
277/6 to 278/7			
278/10 to 279/24			
280/4 to 280/9			
280/11 to 280/15			
280/19 to 281/1			
281/5 to 281/10			
281/13 to 281/16			
281/18 to 282/2			
282/5 to 282/22			
283/13 to 283/15			
283/21 to 284/14			
284/17 to 286/15			
286/17			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
286/20 to 287/3			
287/7 to 287/8			
288/3 to 288/5			
288/17 to 289/16			
290/7 to 290/24			
291/12 to 294/1			
294/4 to 294/5			
294/7 to 296/9			
296/24 to 298/13			
299/7 to 301/22			
302/16 to 303/21			
304/15 to 305/23			
306/3 to 306/4			
306/6 to 306/16			
307/6 to 308/7			
308/10			308:12 – 309:12 312:16 – 312:24 313:19-314:3 315:16-316:1
318/23 to 320/23			
321/4 to 323/3			
323/6 to 323/23			
324/5 to 324/20			
324/23 to 325/13			
326/8 to 329/18			
329/22			
332/1 to 332/2			
332/14 to 333/2			
333/7 to 334/1			
334/4 to 334/5			
334/7			
334/9 to 336/3			
336/8 to 336/15			
336/19 to 337/20			
337/23			
338/1 to 338/3			
338/6 to 339/22			
340/5 to 342/13			
342/22 to 343/22			
344/2 to 346/3			



<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
346/13 to 346/16			
346/20 to 348/2			
348/6 to 348/7			
348/9 to 348/13			
348/16 to 348/27			
349/3 to 349/12			
349/16 to 349/17			
349/22 to 351/9			
352/1 to 353/7			
353/13 to 354/18			
355/3 to 356/18			
356/24 to 358/12			
359/1 to 359/18			
359/21 to 361/23			
362/2			
362/4 to 362/18			
362/21 to 363/5			
363/8 to 363/9			
363/11 to 363/15			
363/18 to 364/5			
364/8			
364/10 to 364/14			
364/18 to 365/3			
365/7 to 365/19			
365/23			
366/1 to 366/5			
366/10 to 366/17			
366/20 to 367/12			
367/14 to 367/20			
367/23 to 368/4			
368/7 to 368/21			
368/23 to 369/13			
369/16 to 369/22			
369/24 to 370/6			
370/10 to 370/14			
370/18 to 370/20			
370/22 to 370/23			
371/1 to 371/8			
371/11 to 371/12			
371/18 to 373/23			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
374/1 to 379/7			
379/11 to 381/17			
381/20			
381/22 to 381/23			
382/3			
382/5 to 382/18			
383/19 to 384/20			
384/23 to 384/24			
385/3 to 386/3			
386/7 to 386/16			
386/19			
386/21 to 386/23			
387/2 to 387/13			
387/17 to 387/19			
400/24 to 401/15			
407/18 to 407/21			
408/4 to 408/21			
411/14 to 411/17			
411/20 to 412/1			
412/4 to 412/5			
444/12 to 444/23			
445/2 to 445/18			
445/20 to 446/16			
446/19 to 448/18			
449/3 to 450/19			
450/21 to 451/1			
451/3 to 451/6			
469/22 to 469/24			
470/3 to 470/11			
470/14 to 470/16			
470/18 to 470/23			
471/1 to 471/4			
471/6			
471/8 to 471/11			
471/13 to 471/14			
474/13 to 474/18			
475/2 to 475/8			
475/10 to 476/2			
476/5 to 746/6			
477/1 to 477/4			
480/3 to 480/9			
480/11 to 480/12			
480/14 to 480/15			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
480/17 to 480/24			
481/2 to 481/6			
481/9 to 481/12			
481/14 to 481/17			
481/19 to 482/4			
482/6			
482/8 to 482/12			
482/14			
483/12 to 483/14			
483/16 to 483/23			
484/1 to 484/10			
484/13 to 484/14			
484/16			
484/18 to 484/20			
484/22 to 485/6			
523/24 to 524/2			
524/4 to 526/4			
526/7 to 526/10			
526/13 to 526/21			
526/24 to 527/3			
527/6			
527/16 to 528/11			
528/13			
528/15 to 528/17			
528/23 to 528/24			
529/2 to 529/6			
529/18 to 530/1			
530/3 to 530/21			
530/24 to 531/2			
531/4 to 531/7			
531/10 to 531/17			
531/16			
531/18 to 531/21			
532/1 to 532/9			
532/12 to 532/16			
532/18 to 532/23			
533/1 to 533/3			
533/5 to 533/8			
534/24 to 535/6	535:3 – 537:5		
535/9 to 535/10			
535/12 to 536/19			
536/21 to 537/5			
537/8 to 537/10			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
537/12 to 537/13			
537/15 to 538/15			
538/17 to 538/18			
538/20 to 538/24			
539/3 to 539/18			
539/20 to 539/24			
540/2 to 540/6			
540/8 to 540/10			
540/12 to 540/18			
540/20 to 540/21			
540/23 to 541/6			
541/8 to 541/18			
542/5 to 542/22			
543/1 to 543/9			
543/11 to 543/16			
543/19 to 543/21			
543/24			
545/9 to 545/12			
545/15			
545/18 to 546/1			
546/3			
546/5 to 546/10			
546/13 to 546/20			
546/22 to 547/2			
547/4			
548/22 to 549/1			
549/3 to 549/18			
549/22 to 550/3			
553/23 to 554/2			
554/4 to 554/8			
554/10 to 554/17			
554/19 to 554/23			
555/1 to 555/2			
555/17 to 555/18	555:17 – 556:22		
555/20	“ “		
555/22 to 556/15	“ “		
556/17 to 557/1	-556:22		
557/3 to 557/11			
559/15 to 559/16			
559/18 to 559/19			
560/23 to 561/2			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
561/12 to 561/15			
561/17 to 561/22			
561/24 to 562/6			
562/8 to 562/14			
562/16 to 562/17			
563/3 to 563/7			
563/10 to 563/15			
563/18 to 563/24			
564/3			
564/5 to 564/6			
564/9 to 564/12			
564/14 to 564/16	564:14 – 565:4		
564/20	“ “		
564/23 to 565/4	“ “		
566/1 to 566/3			
566/6 to 566/8			
567/9 to 567/13			
567/16 to 568/6			
568/11 to 568/13			
568/17 to 568/18			
573/7 to 573/9			
573/12 to 573/20			
573/23 to 574/1			
574/17 to 574/24			
575/3 to 575/4			
575/23 to 576/2			
576/5 to 576/11			
576/14 to 576/16			
585/5 to 585/8			
585/11 to 585/16			
585/18 to 586/5			
586/7			
586/9 to 586/11			
586/13			
586/15 to 585/21			
586/23 to 587/12			
587/14 to 588/6			
588/9 to 588/10			
588/21 to 590/1			
594/13 to 594/14			
594/19 to 597/1			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
597/4			
597/7 to 598/1			
599/21 to 599/24			
600/3			
600/5 to 600/9			
600/11 to 600/22			
601/1 to 601/6			
601/8 to 602/4			
602/6 to 602/16			
602/18 to 602/19			
603/2 to 603/5			
603/7			
603/9 to 603/13			
603/15			
603/17 to 603/20			
603/23 to 603/24			
604/2 to 605/3			
605/6 to 605/9			
605/11			
605/14 to 606/2			
606/5 to 606/10			
609/14 to 609/15			
609/17			
609/19 to 609/21			
610/1 to 610/2			
610/6 to 610/7			
610/9 to 610/14			
610/17			
6010/19 to 610/20			
610/22 to 611/19			
611/21 to 612/7			
612/9 to 614/7			
614/11 to 614/21			
614/23			
615/1 to 615/19			
616/5 to 617/19			
617/23 to 618/10			
619/6 to 619/11			
619/15 to 619/17			
619/20			
619/22 to 619/23			
620/1 to 620/21			

<b>PLAINTIFFS' DESIGNATION</b>	<b>VNA DESIGNATION</b>	<b>OBJECTION(S)</b>	<b>COUNTER DESIGNATION</b>
621/6 to 621/8			
621/10 to 621/24			
622/3 to 622/7			
622/9 to 622/18			
622/21			
622/23 to 622/24			
624/4 to 624/16			
624/18			
624/20 to 624/24			
625/3			
625/5			
625/16 to 626/17			
626/19 to 627/12		Hearsay; foundation	
627/15 to 627/22			
627/24 to 628/10			
646/18 to 646/20			
646/22			
646/24			
647/1 to 647/19			
647/21 to 647/23			
648/1 to 648/4			
648/6 to 648/14			
	690:12 – 694:24		
	695:3 – 700:23		
	700:25 – 701:18		
	701:21 – 704:1		
	704:3 – 705:23		
	707:16 – 708:14		
713/12 to 715/8			
713/12 to 715/8			

LAN further cross-designates all objections and counter-designations of testimony for this witness identified by any other party, including Co-Defendant Veolia North America, LLC, Veolia North America, Inc., and Veolia Water North America Operating Services, LLC, as if set forth in its formal counter-designation of deposition testimony. Finally, to the extent that any

fact witnesses or Rule 30(b)(6) corporate designees have not yet been deposed or identified by Plaintiffs, LAN reserves the right to designate or counter-designate testimony upon completion.

LAN also reserves the right to amend and/or supplement these counter-designations at any time prior to trial and based on the Court's rulings, Plaintiffs' designations and counter-designations of deposition testimony and evidence introduced at trial. LAN states that depending on the evidence presented at trial, it may wish to introduce additional deposition testimony as evidence or in rebuttal. Therefore, it may be necessary to supplement these deposition counter-designations to include testimony not originally designated therein. By submitting these counter-designations, LAN does not waive any objections to the use of such testimony and/or exhibits contained in the deposition designations, including (but not limited to) those made in motions *in limine*. LAN's identification or inclusion of any testimony and/or exhibits within the designations or counter-designations should not be construed as an admission that such testimony/exhibit is admissible if offered by Plaintiffs and LAN reserves the right to object to Plaintiffs' attempts to introduce any testimony and/or exhibits included in the designations.

RESPECTFULLY SUBMITTED:



/s/ David C. Kent

Wayne B. Mason (SBOT 13158950)  
Travis S. Gamble (SBOT 00798195)  
S. Vance Wittie (SBOT 21832980)  
David C. Kent (SBOT 11316400)  
FAEGRE DRINKER BIDDLE & REATH,  
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[david.kent@faegredrinker.com](mailto:david.kent@faegredrinker.com)

/s/ Philip A. Erickson

Philip A. Erickson (P37081)  
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101 N. Washington Square, Ste 1200  
Lansing, MI 48933  
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[perickson@plunkettcooney.com](mailto:perickson@plunkettcooney.com)

ATTORNEYS FOR DEFENDANT  
LAN/LAD

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record on December 28, 2021 by ECF, and that a copy has been mailed by United States Mail, with all postage prepaid, to any parties that are not ECF participants.

/s/ David C. Kent

Wayne B. Mason (SBOT 13158950)  
Travis S. Gamble (SBOT 00798195)  
S. Vance Wittie (SBOT 21832980)  
David C. Kent (SBOT 11316400)  
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/s/ Philip A. Erickson

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Lansing, MI 48933  
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ATTORNEYS FOR DEFENDANT  
LAN/LAD